

STATE OF UTAH

Fund Information

FINET Name: (DOT) Transportation Fund Unrestricted

FINET Fund: 2800

Legal Name: Transportation Fund

Legal Authorization: Article XIII, Section 5, 72-2-102

Earns Interest: ☒ Yes ☐ No **Earns Interest Authority:** UCA 72-2-115

Revenue Source(s):

1) Federal revenue; 2) Motor fuel tax; 3) License tax; 4) Registration fees; 5) Drivers education tax; 6) highway right-of-way (utility) permit fees and related service fees (UCA 72-7-102(5); 7) longitudinal communication access fees (UCA 72-7-108(6)); 8) 1/16% state sales and use tax; 9) .025 state sales and use tax to chokepoints in construction management; 10) fines for littering and failing to secure a load under UCA 78A-7-120 and 78A-5-110; 11) Proceeds from the sale, exchange, or other disposition of certain surplus personal property, if sold, exchanged, or disposed of by the Department of Transportation; 12) sponsorship program fees per UCA 72-6-403.

Description:

Fund was established in response to the "Department of Transportation Act" of 1975. This fund is maintained to account for revenues and expenditures associated with highway construction and maintenance. Principal funding is provided from dedicated highway user taxes, fees, and federal funds.

The 1998 Legislature, through HB202 recodified the transportation code. UCA 72-2-102 was enacted.

The 2000 Legislature (SB 40) Removed the registration reinstatement fee (UCA 41-1a-1220) as a funding source for the Transportation Fund. The fee now goes to the Uninsured Motorist ID Restricted Account (Fund 284).

HB 383 (2007 GS) Reallocates the 1/16% sales and use tax revenue dedication for class B and C roads, corridor preservation, and the State Park Access Highways Improvement Program to the Transportation Fund. Changes the percentage of the Transportation Fund revenue that is deposited in the Class B and C roads account from 25% to 30%. Amends certain reapportionment provisions for the distribution of the class B and C roads account. Fiscal impact: by removing the cap it is estimated to divert \$5,957,000 from the GF to the Trans Fund in FY 08. The net result to UDOT in FY 08 is est. to be an increase of \$3,562,500.

SB 44 (2008 GS) Effective July 1, 2008, provides that fines collected by the district and justice courts for a second or subsequent violation of littering or failure to secure a load (non-commercial) will be remitted 60% to the Transportation fund. Commercial violations of failure to secure a load will be remitted 50% to the Transportation Fund.

HB 359 (2008 GS) Effective January 1, 2009, increases the state sales and use tax rate from 4.65% to 4.70%, and provides that: 1) .025% of the increase will be deposited into the Critical Highway Needs Fund and the TIF 2005 Fund (when GO bonds have been paid off), and 2) .025% of the increase will be deposited into the Transportation Fund to address chokepoints in construction management.

SB 191 (2010 GS) Modifies the name of certain funds in the code for governmental accounting purposes. Changes the name of certain funds to reflect that the fund are restricted accounts within the General Fund. Clarifies that money in a restricted account or fund does not lapse to another account or fund unless otherwise specified. Provides that certain highway special revenue funds are within the Transportation Fund. Provides that the Critical Highway Needs Fund is within the Transportation Investment fund of 2005. Establishes the Transportation Investment Fund of 2005 as a major fund type in the Utah Code. Provides that the Uniform School Fund is a special revenue fund within the Education Fund. Changes the disposition of money deposited into the Rural Health Care Facilities Account (fund #1503). Deletes obsolete accounts (fund #1327).

HB 16 (2013 GS) Exempts certain property acquired by the Department of Transportation from the state surplus property program. Provides that the Department of Transportation is exempt from using the state surplus property program when disposing of surplus personal property that was acquired as part of a transaction or legal action by the department acquiring real property for a state transportation purpose. Provides that proceeds from the sale, exchange, or other disposition of certain surplus personal property shall be deposited with the state treasurer and credited to the Transportation Fund if sold, exchanged, or disposed of by the Department of Transportation.

HB 329 (2013 GS) Increases the fines for littering and failing to secure a load while operating a motor vehicle on a

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highway. (Note: Of the estimated \$40,000 increase in collections, 60% would be deposited into the Transportation Fund for highway littering education and enforcement programs and 40% to state or local governments.)

HB 399 (2013 GS) Changes the terminology of each "restricted special revenue fund" to a new designation of "expendable special revenue fund." The bill also provides intent language that any reference to "restricted special revenue fund" in the code be replaced with "expendable special revenue fund." Thus, the three new restricted special revenue funds created during the 2013 session will be so designated. (# 2330, 2185, 2201) Classifies the following funds as "capital projects funds": Transportation Investment Fund of 2005; Centennial Highway Fund; and Critical Highway Needs Fund. Modifies the description of fund types to better comply with new Government Accounting Standards Board requirements. Provides that the Attorney General Litigation Fund is an expendable revenue fund.

HB 152 (2014 GS) Authorizes the Department of Transportation to establish a sponsorship program to allow for private sponsorship of certain department operational activities or other highway-related services or programs. Requires revenues generated from a sponsorship to be deposited into the Transportation Fund to be used for certain transportation purposes.

HB 362 (2015 GS) Modifies provisions relating to transportation funding. Authorizes a county to impose a local option sales and use tax for highways and public transit. Addresses the use of revenue collected from the local option sales and use tax for highways and public transit. Imposes a percentage tax per gallon on motor fuel and special fuel based on the statewide average rack price of a gallon of regular unleaded motor fuel after a specified date. Establishes procedures for the State Tax Commission to determine the statewide average rack price of a gallon of regular unleaded motor fuel. Increases the tax rate of the special fuel tax imposed on compressed natural gas and liquified natural gas. Imposes a special fuel tax on hydrogen used to operate or propel a motor vehicle on a public highway. Eliminates the cap on the amount of motor fuel tax revenue that is deposited in the Off-highway Vehicle Account (#1156). Amends the apportionment formula for revenues deposited in the class B and class C roads account. (Per Fiscal Note: tax increase may also increase revenue to the Boat Fuel Tax Restricted Account.)

SB 80 (2016 GS) Modifies provisions relating to infrastructure funding. Modifies state sales and use tax earmarks, for fiscal years beginning on or after July 1, 2016 (eliminates earmarks to the Transportation Fund). Updates section of the code impacted (Fund 2850 and Fund 2325 changes) Requires the Division of Finance to annually transfer a certain amount of revenue from the Transportation Fund to the Transportation Investment Fund of 2005. Appropriates in fiscal year 2016-17 to Transportation - Transportation Investment Fund of 2005, as an ongoing appropriation from the Transportation Fund, (\$76,633,600). Provides intent language. Coordinates with SB 246.

Fund Balance History:

<u>Fund</u>	<u>Year</u>	<u>Beg Balance</u>	<u>Revenues</u>	<u>Expenses</u>	<u>Transfers</u>	<u>End Balance</u>
2800	1981	\$0	\$0	\$0	\$0	\$0
2800	1982	\$7,753,486	\$202,954,590	\$185,116,275	(\$13,267,319)	\$12,324,482
2800	1983	\$12,324,482	\$195,071,927	\$191,304,198	(\$6,754,536)	\$9,337,675
2800	1984	\$9,337,675	\$256,985,493	\$270,948,418	(\$14,104,013)	(\$18,729,263)
2800	1985	(\$18,729,263)	\$345,207,421	\$353,106,387	\$10,450,936	(\$16,177,293)
2800	1986	(\$16,177,293)	\$347,659,550	\$330,797,532	\$1,081,064	\$1,765,789
2800	1987	\$1,765,789	\$318,435,467	\$289,127,720	(\$26,670,169)	\$4,403,367
2800	1988	(\$8,428,910)	\$335,812,579	\$291,753,886	(\$34,044,799)	\$1,584,984
2800	1989	\$1,584,984	\$413,931,064	\$378,356,244	(\$23,064,856)	\$14,094,948
2800	1990	\$14,094,948	\$376,913,751	\$366,096,661	(\$16,767,584)	\$8,144,454
2800	1991	\$8,144,454	\$330,380,682	\$330,368,523	\$6,150,488	\$14,307,101
2800	1992	\$14,307,101	\$346,405,050	\$352,228,063	\$13,204,790	\$21,688,878
2800	1993	\$21,688,878	\$391,118,765	\$393,775,619	\$8,984,789	\$28,016,813
2800	1994	\$28,016,813	\$375,803,652	\$392,162,633	\$8,812,867	\$20,470,699
2800	1995	\$20,470,699	\$388,290,223	\$388,048,678	(\$2,662,850)	\$18,049,394
2800	1996	\$18,049,394	\$426,831,367	\$445,691,618	\$43,590,149	\$42,779,292
2800	1997	\$42,779,292	\$440,426,980	\$483,668,009	\$2,533,695	\$2,071,958

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2800	1998	\$2,071,958	\$495,670,459	\$444,552,627	(\$63,519,233)	(\$10,329,443)
2800	1999	(\$10,329,443)	\$558,822,875	\$472,453,470	(\$60,068,220)	\$15,971,742
2800	2000	\$15,971,742	\$578,156,004	\$478,368,190	(\$60,075,502)	\$55,684,054
2800	2001	\$55,684,054	\$530,154,934	\$479,305,089	(\$58,958,344)	\$47,575,555
2800	2002	\$49,635,118	\$626,616,838	\$605,304,103	(\$31,994,531)	\$38,953,322
2800	2003	\$38,953,322	\$614,236,979	\$520,414,375	(\$59,321,452)	\$73,454,474
2800	2004	\$73,454,474	\$639,024,826	\$579,739,916	(\$38,994,352)	\$93,745,032
2800	2005	\$93,745,032	\$643,568,432	\$632,426,671	(\$10,993)	\$104,875,800
2800	2006	\$104,875,800	\$750,278,097	\$744,418,753	(\$2,377,475)	\$108,357,669
2800	2007	\$108,357,669	\$759,590,920	\$766,998,799	\$135,116,493	\$236,066,283
2800	2008	\$236,066,283	\$832,809,782	\$969,832,514	\$167,318,591	\$266,362,142
2800	2009	\$266,362,142	\$907,797,368	\$1,125,265,439	\$123,760,482	\$172,654,553
2800	2010	\$172,654,553	\$982,794,052	\$1,152,105,670	\$67,553,896	\$70,896,831
2800	2011	\$70,896,831	\$877,872,571	\$907,799,617	\$51,241,883	\$92,211,668
2800	2012	\$92,211,668	\$1,012,070,066	\$1,023,669,602	\$2,467,858	\$83,079,990
2800	2013	\$83,079,990	\$949,771,228	\$904,419,101	(\$32,030,840)	\$96,401,277
2800	2014	\$96,401,277	\$885,479,936	\$856,877,575	(\$27,262,182)	\$97,741,456
2800	2015	\$97,741,456	\$869,353,829	\$815,226,910	(\$47,282,656)	\$104,585,719
2800	2016	\$104,585,719	\$928,537,221	\$812,153,772	(\$69,028,614)	\$151,940,554

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